

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

AT&T CORP. and ALASCOM, INC. d/b/a
AT&T Alascom, Inc.,

Plaintiffs,

v.

DAVID W. WALKER, DONALD J.
SCHROEDER, and TERRY A GUNSEL,

Defendants.

Case No. C04-5709FDB

ORDER CONTINUING STAY


Plaintiffs' counsel has filed a status report concerning the status of the Bankruptcy Trustee's intervention in this case, stating that the Trustee will be moving to intervene but requesting that the stay as to Plaintiffs' claims be lifted and that the stay remain in place as to the remaining claims that the Trustee would be seeking to prosecute. Defendants responded to this suggestion that the stay should remain in place until the Trustee has formally intervened and determined which claims to prosecute and which defendants to join, arguing that Plaintiff's position is impractical and inefficient because of the overlap in discovery and duplication that likely would occur.

The Court agrees with the Defendants on this issue, and will continue the stay as to the entire case pending intervention of the Bankruptcy Trustee. It is appropriate, however, for the Trustee to give the Court an estimate of when he anticipates filing a motion to intervene.

1 ACCORDINGLY,

2 IT IS ORDERED: The Stay in this matter is continued until the Bankruptcy Trustee files his
3 motion to intervene in this case. Plaintiffs' counsel shall advise the Court by a further status report
4 to be filed not later than **January 20, 2006** of when the Bankruptcy Trustee anticipates filing his
5 motion to intervene herein.

6 DATED this 9th day of January, 2006.

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9 FRANKLIN D. BURGESS
10 UNITED STATES DISTRICT JUDGE
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